

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CLENIX MARTIN,

Plaintiff,

v.

UNKNOWN HURST, C/O,  
UNKNOWN NELSON, C/O, and  
UNKNOWN KOEHLER, Sgt. Of  
Omaha Correctional Center -  
Department Of Corrections,

Defendants.

8:07CV445

**MEMORANDUM  
AND ORDER**

Plaintiff has responded to the court's order directing that a new motion for leave to proceed in forma pauperis ("IFP") be filed. (Filing No. 14.) Upon review of the record, the new Motion for Leave to Proceed IFP is granted, and Plaintiff is relieved of any liability for the unpaid balance of the filing fee. *See, e.g., McGann v. Comm'r, Social Security Admin.*, 96 F.3d 28, 30 (2d Cir. 1996) ("A released prisoner may litigate without further payment of fees upon satisfying the poverty affidavit requirement applicable to all non-prisoners.")

IT IS THEREFORE ORDERED that: Plaintiff's Motion for Leave to Proceed IFP (filing no. 14) is granted.

March 18, 2008.

BY THE COURT:

*s/Richard G. Kopf*  
United States District Judge